REMARKS

<u>Claim Changes</u>

Claims 1, 7, 15, 20, and 26 are amended to more clearly recite the claimed limitations. These changes are based at least on FIG. 3 and the accompanying description on page 11, paragraphs 0040-0043, of the specification as filed. Thus, no new matter is added.

Claims 24-25 have been cancelled without prejudice or disclaimer.

No amendment made is related to the statutory requirements of patentability unless expressly stated herein. No amendment is made for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment is made to distinguish over a particular reference or combination of references. Any remarks made herein with respect to a given claim or amendment is intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

<u>Rejection of claims 24-25 under 35 U.S.C. §101</u>

Claims 24-25 have been cancelled without prejudice or disclaimer. Accordingly, the rejection is believed to be moot. Applicant respectfully requests the rejection be withdrawn.

<u>Rejection of Claims 1, 3, 4, 7, 8, 9, 10, 15-18, 24, and 26-29 under 35 U.S.C. § 103(a) as being unpatentable over US 6,636,749 (Altman) in view of US 6938101 (Hayes)</u>

Applicant has amended the claims to clarify the invention. Applicant therefore respectfully requests reconsideration of the rejection of claims 1, 3, 4, 7, 8, 9, 10, 15-18, and 26-29 under 35 U.S.C. § 103(a) as being unpatentable over Altman in view of Hayes as herein amended.

The Office Action on page 4 states "Altman discloses... 'determining closed caption processing capabilities of said display device' (see col. 3 II.58 - col. 4 II. 11; the source device inherently determines the sink device (display device) capabilities because it either separates or multiplexes the un-rendered closed caption data based on the closed capability of the sink device)."

Applicant respectfully submits that the combination of Altman and Hayes does not teach or suggest all the claim limitations as set forth in independent claims 1, 7, 15, 20, and 26, as amended. For example, independent claims 1, 7, 15, 20, and 26 recite (emphasis added)

"*[determine] determining, by the source device*, closed caption processing capabilities of a coupled display device [communicatively coupled display device] [said display means] [said sink device] [said display device]" which is not taught or suggested in the combination of Altman and Hayes.

　　　Altman is directed towards a method of transmitting auxiliary data. See Altman Abstract.

　　　Altman in col. 3, line 58 - col. 4, line 11 states "[i]n one embodiment as shown in FIG. 1B, auxiliary data source 120 outputs auxiliary data signal 125 in response to an auxiliary data source control signal 180 received from auxiliary data control logic 170. Auxiliary data control logic 170 receives a display properties signal 175 that includes information about whether the receiver, or display device, is capable of processing the auxiliary data. If signal 175 indicates that the receiver is capable of processing the auxiliary data, then auxiliary data control logic sends an auxiliary data permitted signal 180 to permit auxiliary data source 120 to output auxiliary data signal 125 and auxiliary data enable signal 127. If signal 175 does not indicate that the receiver is capable of processing the auxiliary data, then auxiliary data control logic 170 can generate a prevent auxiliary data signal 180, or not send an auxiliary data permitted signal, to prevent auxiliary data source 120 from outputting ADE signal 127 to transmitter DE out control logic 130. When the transmitter DE out control logic 130 does not receive ADE signal 127, control logic 130 will not enable MUX 140 to multiplex auxiliary data signal 125 into composite data signal 145." Thus, Altman in col. 3, line 58 - col. 4, line 11 merely describes a method, wherein the auxiliary data source 120 transmits the auxiliary data on receiving the auxiliary data permitted signal 180 from the auxiliary data control logic 170. However, Altman does not suggest or describe that the auxiliary data source 120 determines the auxiliary signal processing capabilities of the receiver. Thus, Altman does not suggest or describe (emphasis added) "*[determine] determining, by the source device*, closed caption processing capabilities of a coupled display device [communicatively coupled display device] [said display means] [said sink device] [said display device]" as recited by independent claims 1, 7, 15, 20, and 26. " Moreover, Hayes also fails to remedy the acknowledged deficiency of Altman. Since the combination of Altman and Hayes fails to disclose Applicant's claimed invention as claimed in independent claims 1, 7, 15, 20, and 26, Applicant respectfully requests withdrawal of the rejection of claims 1, 7, 15, 20, and 26 under 35 U.S.C. § 103(a). Applicant requests that claims 1, 7, 15, 20, and 26 now be passed to allowance.

Dependent claims 3, 4, 8, 9, 10, 16-18, and 27-29 depend from, and include all the limitations of independent claims 1, 7, 15, 20, and 26. Therefore, Applicant respectfully requests the reconsideration of dependent claims 3, 4, 8, 9, 10, 16-18, and 27-29 and requests withdrawal of the rejection.

Rejection of Claims 11, 19, and 30 under 35 U.S.C. § 103(a) as being unpatentable over US 6,636,749 (Altman) in view of US 6938101 (Hayes) in further view of "HDMI 0.9 Released", 30th June 2002 (UltimateAVmag.com)

Dependent claims 11, 19, and 30 depend from, and include all the limitations of independent claims 7, 15, and 26. Therefore, Applicant respectfully requests the reconsideration of dependent claims 11, 19, and 30 and requests withdrawal of the rejection.

Rejection of Claims 12, 13, 14, 20, 21, 22, and 23 under 35 U.S.C. § 103(a) as being unpatentable over US 6,636,749 (Altman) in view of US 6938101 (Hayes) in view of US 7023858 (Ozawa)

As explained above, the combination of Altman and Hayes fails to describe or suggest "determine , by the source device, closed caption processing capabilities of a communicatively coupled display device" as recited by independent claim 20. Moreover, Ozawa fails to remedy the acknowledged deficiency of Altman and Hayes. Since the combination of Altman, Ozawa, and Hayes fails to disclose Applicant's claimed invention as claimed in independent claim 20, Applicant respectfully requests withdrawal of the rejection of claim 20 under 35 U.S.C. § 103(a). Applicant requests that claim 20 now be passed to allowance.

Dependent claims 12, 13, 14, 21, 22, and 23 depend from, and include all the limitations of independent claims 7, 15, and 20. Therefore, Applicant respectfully requests the reconsideration of dependent claims 12, 13, 14, 21, 22, and 23 and requests withdrawal of the rejection.

Rejection of Claims 25 and 32 under 35 U.S.C. § 103(a) as being unpatentable over US 6,636,749 (Altman) in view of US 6938101 (Hayes) in further view of 6373526 (Kessler)

Dependent claim 32 depends from, and includes all the limitations of independent claim 1. Therefore, Applicant respectfully requests the reconsideration of dependent claim 32 and requests withdrawal of the rejection.

Rejection of Claim 31 under 35 U.S.C. § 103(a) as being unpatentable over US 6,636,749 (Altman) in view of US 6938101 (Hayes) in further view of US 2004/0080482 (Magendanz)

Dependent claim 31 depends from, and includes all the limitations of independent claim 1. Therefore, Applicant respectfully requests the reconsideration of dependent claim 31 and requests withdrawal of the rejection.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's undersigned representative at the telephone number indicated below.

Respectfully submitted,

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